

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NAV-TV, CORP.,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	C.A. No. 2:15-cv-01467-JRG-RSP
	§	
AUDIONICS SYSTEM, INC. d/b/a	§	JURY TRIAL DEMANDED
CRUX INTERFACING SOLUTIONS,	§	
	§	
Defendant.	§	

**PLAINTIFF NAV-TV, CORP.'S ANSWER AND AFFIRMATIVE DEFENSES TO
CRUX INTERFACING SOLUTIONS' COUNTERCLAIMS**

Plaintiff and Counterclaim Defendant NAV-TV, Corp. (“NAV-TV”) files this Answer and Affirmative Defenses to the Counterclaims asserted by Audionics System, Inc. d/b/a Crux Interfacing Solutions (“Crux” or “Counterclaim Plaintiff”).

COUNTERCLAIMS

25. Admitted.

26. The allegations contained in paragraph 26 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required.

27. The allegations contained in paragraph 27 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required. To the extent that an answer is required, denied.

28. Admitted.

29. Admitted.

COUNT 1-DECLARATORY JUDGMENT OF INVALIDITY OF U.S. PATENT NO.
7,917,261

30. Counterclaim Defendant repeats and realleges each and every response to the allegations set forth in paragraphs 25 through 29 above, the contents of which are incorporated herein by reference.

31. The allegations contained in paragraph 31 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required.

32. The allegations contained in paragraph 32 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required. To the extent that an answer is required, denied.

33. Denied.

34. Denied.

COUNT 2-DECLARATORY JUDGMENT OF INVALIDITY OF U.S. PATENT NO.
8,103,407

35. Counterclaim Defendant repeats and realleges each and every response to the allegations set forth in paragraphs 25 through 34 above, the contents of which are incorporated herein by reference.

36. The allegations contained in paragraph 36 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required.

37. Counterclaim Defendant lacks sufficient information to admit or deny. To the extent that an answer is required, denied.

38. Denied.

39. Denied.

COUNT 3-DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT
NO. 7,917,261

40. Counterclaim Defendant repeats and realleges each and every response to the allegations set forth in paragraphs 25 through 39 above, the contents of which are incorporated herein by reference.

41. The allegations contained in paragraph 41 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required.

42. Counterclaim Defendant lacks sufficient information to admit or deny. To the extent that an answer is required, denied.

43. Denied.

44. Denied.

COUNT 4-DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF U.S. PATENT
NO. 8,103,407

45. Counterclaim Defendant repeats and realleges each and every response to the allegations set forth in paragraphs 25 through 44 above, the contents of which are incorporated herein by reference.

46. The allegations contained in paragraph 46 of Counterclaim Plaintiff's Counterclaims constitute a conclusion of law, to which no response is required.

47. Counterclaim Defendant lacks sufficient information to admit or deny. To the extent that an answer is required, denied.

48. Denied.

49. Denied.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Counterclaim Plaintiff's Counterclaim, on one or more counts set forth therein, fails to state a claim upon which relief can be granted.

Second Affirmative Defense

Counterclaim Plaintiff's equitable claims are barred, in whole or in part, by reason of unclean hands.

Third Affirmative Defense

Counterclaim Plaintiff's Counterclaim, on one or more counts set forth therein, is barred, in whole or in part, by laches.

Fourth Affirmative Defense

Counterclaim Plaintiff's Counterclaim, on one or more counts set forth therein, is barred, in whole or in part, by the doctrines of waiver, acquiescence and estoppel.

RESERVATION OF RIGHTS

Counterclaim Defendant reserves the right to assert additional affirmative defenses if such defenses are discovered during the course of this litigation.

WHEREFORE, Counterclaim Defendant NAV-TV respectfully demands judgment against Counterclaim Plaintiff Crux dismissing the Counterclaims in their entirety and for such other relief, not inconsistent herewith, as may be just, equitable, proper, together with the costs and attorneys' fees of this action.

Dated: November 23, 2015

Respectfully submitted,

Andy Tindel w/ permission of Lead Attorney

DARIUSH KEYHANI, Lead Attorney
NJ SBN 044062002
MEREDITH & KEYHANI, PLLC
330 Madison Avenue, 6th Floor
New York, NY 10017
(212) 760-0098 Telephone
(212) 380-1325 Direct Line
(212) 202-3819 Facsimile
dkeyhani@meredithkeyhani.com

ANDY TINDEL
Texas State Bar No. 20054500
MT² LAW GROUP
MANN | TINDEL | THOMPSON
112 East Line Street, Suite 304
Tyler, Texas 75702
Telephone: (903) 596-0900
Facsimile: (903) 596-0909
Email: atindel@andytindel.com

Attorneys for Plaintiff NAV-TV, CORP.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 23rd day of November, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

Andy Tindel

Andy Tindel